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OAKLAND

CITY OF OAKLAND
AGENDA REPORT

2009 JUN 17 PM 8:47

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Parking Operations
DATE: June 30, 2009

RE: **A Supplemental Report to an Ordinance Amending Oakland Municipal Code Sections 10.48.010 "Schedule of Parking Fines" To Increase Parking Fines**

SUMMARY

At the June 16, 2009 Special City Council meeting, staff presented a proposed ordinance amending the Oakland Municipal Code (O.M.C.) "Schedule of Parking Fines." In response to concerns raised during the discussion on the item, staff have prepared a revised ordinance for consideration.

The previous iteration of the ordinance listed only the O.M.C. fines and did not incorporate the \$10 "pass-through" charge authorized by Ordinance No.12928 C.M.S. on May 5, 2009 to assess the State mandated amount remitted to Alameda County. The revised ordinance now contains a chart indicating the previous O.M.C. fine amount, the recommended fine amount, the "pass-through" charge, and the total fine amount that cited owners will pay for each violation type.

RECOMMENDATION AND RATIONALE

Staff recommends the City Council adopt the proposed ordinance amending Oakland Municipal Code Sections 10.48.010 "Schedule of Parking Fines" to increase parking fines.

Respectfully submitted,

Noel Pinto

Noel Pinto
Parking Manager

APPROVED AND FORWARDED TO THE
CITY COUNCIL:

[Signature]

Office of the City Administrator

Item: _____
City Council
June 30, 2009

INTRODUCED BY COUNCILMEMBER _____


City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUN 17 PM 5:14

OAKLAND CITY COUNCIL
ORDINANCE No. _____ C.M.S.

**ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTIONS 10.48.010
"SCHEDULE OF PARKING FINES" TO INCREASE PARKING FINES**

WHEREAS, the City of Oakland collects fines for violations of the Oakland Traffic Code as set forth in Title 10 of the Oakland Municipal Code; and

WHEREAS, the City of Oakland has a duty to enforce parking violations as set forth in the Oakland Municipal Code; and

WHEREAS, on May 5, 2009, the City of Oakland adopted Ordinance 12928 C.M.S. authorizing a \$10 "pass-through" charge on all Oakland Municipal Code and California Vehicle Code parking violation fees, to assess the State mandated amount remitted to Alameda County; and

WHEREAS, the City of Oakland seeks to raise certain fines for Oakland Municipal Code Section 10.48.010 "Schedule of Parking Fines;" and

WHEREAS, a Public Hearing was held on June 30, 2009 to review the proposed changes to these fines; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Oakland Municipal Code (O.M.C.) Section 10.48.010 "Schedule of Parking Fines" is hereby amended as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of ordinances not cited or not shown in underscoring or strike-through type are not changed.

Traffic Code	Description	Current OMC Fine	Proposed OMC Fine	Pass-Through Surcharge (Remitted to Alameda County)	Total New Fine Amount
10.28.040A	Over 18" from Curb	40.00	50.00	10.00	60.00
10.28.040B	Parked Wrong Way	40.00	50.00	10.00	60.00
10.36.050	Meter Violation - Expired	45.00	55.00	10.00	65.00
10.36.060	Meter Overtime	45.00	55.00	10.00	65.00
10.36.100	Meter Expired - Off Street Meter	45.00	55.00	10.00	65.00
10.28.250	No Parking Anytime	50.00	60.00	10.00	70.00
10.28.210	Four Hour Zone	50.00	60.00	10.00	70.00
10.28.190	Two Hour Zone	50.00	60.00	10.00	70.00
10.28.180	One Hour Zone	50.00	60.00	10.00	70.00
10.16.110	Obedience to Signs & Barriers	47.00	60.00	10.00	70.00
10.28.020	No Parking in Parkway	35.00	45.00	10.00	55.00
10.28.040D	Park Within Parking Space	35.00	45.00	10.00	55.00
10.28.160	Unattached Trailer	63.00	80.00	10.00	90.00
10.28.170	Parking Prohibited-Tail	32.00	40.00	10.00	50.00
10.36.020	Parking Over Space Marking	35.00	45.00	10.00	55.00
10.40.020A4	No Parking Green Zone	50.00	70.00	10.00	80.00
10.40.030B	Special Zone-Sign Posted	32.00	40.00	10.00	50.00
10.40.060	No Parking-Yellow Zone	50.00	70.00	10.00	80.00
10.40.070	No Parking-White Zone	50.00	70.00	10.00	80.00
10.40.110	No Parking-Taxi Zone	32.00	40.00	10.00	50.00
10.56.360	Parking in Cross Walk (Airport Ground Traffic)	32.00	40.00	10.00	50.00

Section 2. Severability. If any article, section, subsection, sentence, clause, or phrase of this ordinance or exhibit is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____